

## Press Release: Sweden referred to EU Court over RED III permitting failure – first case sets important precedent for broader enforcement

Brussels, 13 October 2025

The European Commission has [referred Sweden to the Court of Justice \(CJEU\)](#) for failing to transpose the permitting provisions of the revised Renewable Energy Directive (RED III) more than a year after the July 2024 deadline. The case marks the first RED III infringement to reach the Court and could lead to financial penalties under Article 260(3) TFEU.

EREF welcomes this step as a long-overdue signal that the Commission is ready to enforce RED III with the necessary legal rigour. Continued lack of transposition delays renewable energy projects, frustrates producers, and undermines investor confidence – slowing the transition at a time when Europe must accelerate, while China and others rush ahead.

“The energy transition should not be impeded by administrative inertia,” says EREF Director Dörte Fouquet. “We strongly support the Commission’s legal action and urge similar proceedings against other Member States which continue to delay or dilute RED III implementation.” EREF and its members strongly oppose the delaying tactics of some Member States; a few still dream of fossil futures and maintain good ties to problematic supplier countries, thereby endangering the security of the European Union.

The Swedish case concerns key permitting reforms, including the designation of Renewable Acceleration Areas, one-stop shops, time-bound permitting procedures, and the presumption that renewable projects are of overriding public interest. These measures are essential to scale up deployment, reduce costs, and provide legal certainty for developers. They also form a crucial bridge to the EU’s [IndustRE](#) programming. Stable, clear, and swift permitting procedures are key to investment confidence and rebuilding Europe’s manufacturing base.

As guardian of the Treaties, the Commission has opened [infringement procedures against all 27 Member States](#) for failure to fully transpose RED III, covering both the permitting reforms and broader RED III obligations due by May 2025. Fifteen Member States have already received a reasoned opinion, but Sweden is the first to be referred to the Court. While some governments have made partial progress, none has fully complied with the obligations.

EREF calls on all national governments to accelerate full and correct implementation of the RED III, including both the early permitting reforms and the main targets due in 2025. Ongoing delay harms investments, competitiveness, and the credibility of EU renewable energy targets.

For more information, please contact

Prof. Dr. Dörte Fouquet  
Director  
[doerte.fouquet@eref-europe.org](mailto:doerte.fouquet@eref-europe.org)

Dirk Hendricks  
Secretary General  
[dirk.hendricks@eref-europe.org](mailto:dirk.hendricks@eref-europe.org)